1					_____ BILL NO. _____

2		INTRODUCED BY _____

							(Primary Sponsor)
3

4		A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING THAT A MUNICIPALITY MAY ISSUE AND RENEW

5		CABLE TELEVISION SYSTEM FRANCHISES OR MAY CREATE A BOARD TO DO SO AND MAY REGULATE

6		CABLE SERVICE AS AUTHORIZED BY FEDERAL LAW; AND AMENDING SECTION 7-5-4321, MCA."

7

8		BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

9

10		NEW SECTION. **Section 1. Authorization to establish cable television board -- regulation of cable**

11		**service.** (1) The governing body of any municipality may franchise and regulate the operation of cable television

12		systems, or the governing body may establish a board for the same purposes.

13		(2) The issuance or renewal of a franchise may be upon terms requiring adequate, economical, and

14		efficient cable service. The board or governing body may establish franchise fees and regulate rates, services,

15		facilities, and equipment as authorized by 47 U.S.C. 541, et seq.

16

17		**Section 2.** Section 7-5-4321, MCA, is amended to read:

18		**"7-5-4321. Grant of exclusive franchise -- election required.** (1) The council may not grant an

19		exclusive franchise or special privilege to any person except as provided in [section 1] and except in the manner

20		specified in subsection (2) of this section. The powers of the council are only those expressly prescribed by law

21		and those necessarily incident to the law.

22		(2) An exclusive franchise for any purpose, except contracts for solid waste management systems as

23		defined in 75-10-103, which may not exceed 10 years, may not be granted by any city or town or by the mayor

24		or city council to any person, association, or corporation without first submitting the application for an exclusive

25		franchise to the electors of the city at a regular or primary election."

26

27		NEW SECTION. **Section 3. Codification instruction.** [Section 1] is intended to be codified as an

28		integral part of Title 7, chapter 5, part 43, and the provisions of Title 7, chapter 5, part 43, apply to [section 1].

29							- END -